



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,600	12/19/2001	Wayne C. Hom	2019.320	1285

22853 7590 05/27/2003

LEVIN INTELLECTUAL PROPERTY GROUP
384 FORESET AVE, SUITE 13
LAGUNA BEACH, CA 92651

EXAMINER

TANG, SON M

ART UNIT	PAPER NUMBER
----------	--------------

2632

DATE MAILED: 05/27/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,600

Applicant(s)

HOM ET AL.

Examiner

Son M Tang

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Specification

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 11 been renumbered 12. Misnumbered claim 12 been renumbered 13.

Misnumbered claim 13 been renumbered 14.

Misnumbered claim 14 been renumbered 15.

mis Misnumbered claim 15 been renumbered 11.
original

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

mis 2. Claims 1-2, 6, 8, 10¹³ and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by AMES et al. [US 2002/0002443].

Regarding to claims 1 and 10: AMES et al. disclose a system for monitoring the operation of a security system comprising:

-a security system met by a sentry unit [100] for controlling access to a secure area includes, a movable barrier [402] operated by a barrier controller [414] [see Fig. 1 and 6];

-a diagnostic module met by watch commander [102] in conjunction with sentry unit [100], watch commander includes a microprocessor [200], which monitors various operational parameters of the security system feed from sentry unit [see Fig. 7A &B paragraph 0065];

-said watch commander [102] includes a two-way wireless communications (met by secondary network [202] (redundant communication link) conjunction with said microprocessor [200] (as shown in Fig. 7A, paragraphs [0065 and 0071];

-a remote monitor met by a host computer [104] capable of two way wireless communication with said communication unit of watch commander unit; and

-wherein said microprocessor [200] of watch commander unit monitors the operational parameters of the sentry unit and when any of said operational parameters of the system reach a pre-designated (predetermined) level which met by the internal rules set, the watch commander reports to said host computer [see Fig. 3 and paragraphs 0063, 0091-0094, 0096-0099] .

Regarding to claims 2 and 13: AMES et al. further disclose that wherein the remote monitor (host computer or master) is polling data (status of various operational parameters of the security system) from watch command (slave unit) [see paragraph 0072-0073].

Regarding to claims 6, 8 and 15: As stated by AMES et al. that the host computer and watch command communicating via cellular telephone [paragraph 0071], which met by the claimed of two-way pagers communication.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **3, 7, 9, 11 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443].

Regarding to claims 3 and 14: AMES et al. disclose all the limitation as described above, AMES et al. does not specifically show that the watch command unit (diagnostic module) is functionally independent of the security system. As stated in paragraph 0065 that the watch commander is identifying the operation problems and a communications interfaces between of a security system (sentry) and host computer. Therefore, it is obvious that watch command unit is functioning independently.

Regarding to claims 7, 9 and 11: AMES et al. disclose all the limitation as described above, except for not specific show that a service technician with said remote monitor communicates with said diagnostic unit. However, as long as the host computer is communicating with the watch commander, whether by automatic polling or manual is an obvious of an alternative method of choice, since some problem that indicates of require technician attention (such as motor worn out or ice build up) at the gate.

Art Unit: 2632

5. Claims **4-5 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Parsadayan** [US 5,869,940].

Regarding to claims 4-5 and 12: AMES et al. disclose all the limitation as described above, except for not specific show that the diagnostic module has its own power supply. Parsadayan teaches a gate operator apparatus which comprising, a control circuit [92] includes a microprocessor [94] for controlling the gate, and a battery [108] cited in Fig. 6, col. 9, lines 15-25]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a back up or it owns power as taught by Parsadayan into the system of AMES et al. for preventing of false alarm.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Anthonyson [US 5,737,710] discloses automated vehicle parking system, which also teaches two-way wireless communication and recognized various alarms [see Fig. 1, col. 6, lines 40-68]. Andersen [US 5,712,621], Weik, III et al. [US 6,484,784], Ozery [US 5,892,442] and Naidoo et al. [SU 2003/0062997].

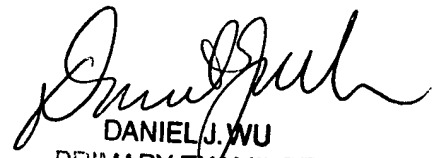
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M Tang whose telephone number is (703)306-5970. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (703)308-6730. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3988 for regular communications and (703)305-3988 for After Final communications.

Art Unit: 2632

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

Son Tang
May 16, 2003


DANIEL J. WU
PRIMARY EXAMINER
5/18/03